

R E M A R K S

The Office Action of October 15, 2003, has been carefully considered. The present response is intended to be a complete reply thereto and to place the case in condition for allowance. A Petition for a Three Months Extension of Time and fees therefor are filed concurrently herewith.

Claims 35-37 are pending.

THE CLAIMS ARE NOT OBVIOUS

Claims 35-47 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Holdt et al. (U.S. Patent No. 4,578,207). Applicant respectfully traverses the rejection.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP 2143.

The reference fails to disclose that the hydrophobes are different in the two compositions. Claim 35 recites a cleansing block formed of two compositions. Bleach is contained in one part and perfume is in the other part. The perfume is not compatible with the bleach and so degradation of the bleach by the perfume is avoided or greatly minimized according to this invention. Also, both compositions include hydrophobes, but the hydrophobes must be different. In other words, the same hydrophobe in each of the two parts must be avoided, according to this invention. The cited art does not teach or suggest that the hydrophobes must be different. The prior art suggests pine oil fragrance (which is a perfume and a hydrophobe, and is also bleach stable) in both parts.

Further, there is motivation to modify the teaching of Holdt et al. to arrive at the present invention. The Examiner is of the opinion that the plasticizers of Holdt et al. are hydrophobes; however, this is not true. Only some of the plasticizers on the list are hydrophobes, while others are hydrophiles. From the list of plasticizers in column 3, lines 64-67, it is clear that at least 1,2-propylene glycol, and monoethylene glycol are

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hydrophiles that are highly soluble in water, not hydrophobes. Therefore, to modify the composition of Holdt et al. to that of the present invention, one of ordinary skill in the art would have to 1) pick just the hydrophobic plasticizers from the group disclosed in column 3, lines 64-67; then, 2) use different hydrophobic plasticizers in the two compositions. There is no motivation to carry out these two steps. As a matter of fact, the Examiner offers no motivation to modify the teaching of Holdt et al. to arrive at the present invention. Applicant has unexpectedly discovered that the use of different hydrophobes in the two compositions gives better result than using the same hydrophobes (see pages 8-9 of the present specification). Holdt et al. does not contemplate the use of different hydrophobes. The reference teaches the use of plasticizers (hydrophobes and hydrophiles) to achieve the desired viscosity (see column 3, lines 64-67). At the same time, the reference also disclose that the "mixtures preferably have the same or a similar viscosity". These disclosures suggest that it is advantageous for the composition of Holdt et al. to have the same plasticizers. This is supported by the Examples, where the same plasticizers are used by Holdt et al. in the two compositions.

Moreover, Holdt et al. fails to disclose the limitations of the dependent claims. Particularly, the reference fails to disclose 1) a second perfume that is stable in the presence of bleach in the first composition, as required by claim 38; 2) a rim block, as required by claim 39; 3) a cistern block, as required by claim 40; 3) a bleach activator, as required by claim 41; 4) sodium bromide, as required by claim 42; and 5) that the compositions are co-extruded, as required by claim 47.

Therefore, for the reason given above, the claims are not obvious within the meaning of § 103. Accordingly, the rejections are improper and should be withdrawn.

CONCLUSION

In the event there are any questions relating to this Amendment or to the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that the prosecution of this application may be expedited.

Please charge any shortage or credit any overpayment of fees to BLANK ROME COMISKY & McCUALEY LLP, Deposit Account No. 23-2185 (000026.00028). In the event that a petition for an extension of time is required to be submitted herewith and in the event that a separate petition does not accompany this response, Applicant hereby petitions under 37 CFR 1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized above.

Respectfully submitted,



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